

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAWRENCE D. KORN,

Plaintiff,

v.

Case No. 04-CV-70821

THE PAUL REVERE LIFE INSURANCE
COMPANY,

Defendant.

**OPINION AND ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S "MOTION TO COMPEL RESPONSES TO PLAINTIFF'S SECOND
REQUEST TO PRODUCE . . ." AND "MOTION TO COMPEL RESPONSES TO
REQUESTS FOR PRODUCTION OF DOCUMENTS . . ."**

Pending before the court are the above-captioned motions by Plaintiff Lawrence D. Korn, which were filed, respectively, on May 15, 2008 and June 24, 2008. Defendant Paul Revere Life Insurance Company responded and the court held a hearing on July 30, 2008. At the hearing, counsel settled a number of issues by agreement and the court decided the remaining disputed issues. Consistent with the parties' agreement the reasons the court stated on the record, the court will order as follows.

IT IS ORDERED that Plaintiff's "Motion to Compel Responses to Plaintiff's Second Request to Produce . . ." [Dkt. # 45] and "Motion to Compel Responses to Requests for Production of Documents . . ." [Dkt. # 51] are GRANTED IN PART AND DENIED IN PART. Specifically, the motions are GRANTED to the extent that Defendant shall produce blank claims forms to Plaintiff no later than **August 1, 2008** and curriculum vitae of Larry Ianetti and Michael Abramsky no later than **August 8,**

2008. The motions are DENIED to the extent that Plaintiff is not entitled to discovery concerning unrelated claim files of Defendant that may or may not have involved the same or similar contract language concerning a requirement for a claimant to submit a written claim notice in a specified time period.

IT IS FURTHER ORDERED that counsel shall consider the witnesses alluded to on the record, including but not necessarily limited to treating psychologists and psychiatrists, as experts and therefore follow the relevant procedures for sharing expert discovery.

IT IS FURTHER ORDERED that counsel shall file a stipulated protective order covering sensitive discovery material, including psychological and psychiatric evaluations, no later than **August 8, 2008.**

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 5, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 5, 2008, by electronic and/or ordinary mail.

S/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522